

MINUTE ENTRY PROCEEDINGS: JURY TRIAL - Day 2

Attorney James Bickerton was present with and on behalf of Plaintiff Bruce Lee Jorgensen. Attorney Douglas Cushnie was present on behalf of and with Defendant Benjamin B. Cassiday. III.

Defense continued CX of Bruce Jorgensen. Plaintiff's Ex. 1 was admitted w/o objection.
RDX. RCX.

Court excused the jurors for morning break at 10:40 a.m. and reconvened at 11:05 a.m.

Plaintiff called witness:

3) NEIL TANAKA (Surgical Sales Representative - Hawaii).DX. (No cross examination).

4) BENJAMIN B. CASSIDAY, III. (Defendant). DX.

Court excused the jurors for lunch break at 11:45 a.m. and reconvened at 1:30 p.m.

Plaintiff inquired of the Court whether they could take a witness out of order and continue with the CX of Mr. Cassiday immediately thereafter. There was no objection by Defense. Court so agreed.

5) PAUL ATALIG MANGLONA (CNMI Senator). DX. (No cross examination).

Defense began CX of Mr. Cassiday. RDX.

6) JOHN PERKIN, Esq. (Honolulu, Hawaii). DX. Ex. 29 was admitted w/o objection.

Court recessed for afternoon break at 2:50 p.m. and reconvened at 3:07 p.m.

Plaintiff continued DX of John Perkin. Ex. 41 was admitted w/o objection. Ex. 43 was admitted w/o objection. Ex. 44 was admitted w/o objection. Ex. 48 was admitted w/o objection.

Ex's 67, 68, 69, 70 were admitted w/o objection. Ex. 81 was admitted w/o objection. Ex. 72 was admitted over objection. Ex. 74 was admitted over objection. Ex. 75 was admitted over objection.

Plaintiff rested their case at 3:40 p.m.

Court excused the jurors for the evening at 3:40 p.m. and jurors were admonished not to talk with anyone regarding the case. Jurors were ordered to return to the Court at 9:00 a.m. to continue with the trial.

Outside the presence of the jurors argument ensued regarding whether testimony of a certain witness should be stricken. Court ruled that the testimony would not be stricken.

Court recessed at 3:50 p.m. and reconvened at 4:40 p.m., again, outside the presence of the jury.

Plaintiff moved to admit Ex. 13 into evidence. There being no objection, Court so ordered.

Plaintiff moved for Judgment as a Matter of Law. Court denied the motion. Defense moved for Judgment as a Matter of Law. Court denied the motion.

; [KLL EOD 06/27/2001]